

APPENDIX A

**Notice to Comply**

Application No.

101623,458

Applicant(s)

Gharizadeh

Examiner

Christopher M. Babic

Art Unit

1637

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 18, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29820 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: See Office Action

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(a) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

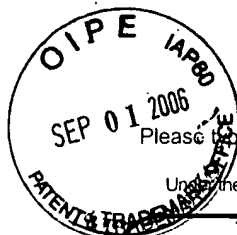
For CRF Submission Help, call (703) 308-4212

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9-5-06

Irw/S

PTO/SB/21 (08-03)

Please use a plus sign (+) inside this box → ☒

Approved for use through 08/30/03. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission
(excluding references)

21

Application Number

10/623,458

Filing Date

July 17, 2003

First Named Inventor

Baback Gharizadeh

Group Art Unit

1637

Examiner Name

Christopher M. Babic

Attorney Docket Number

87835.2

ENCLOSURES (check all that apply)☒ Deposit Account 07-1850
Authorization☒ Postage Paid Return Postcard☒ Response to Office Action (11
pages)☒ Amendment Transmittal Letter (in
duplicate) (2 pages)☐ Affidavits/declaration(s)☒ Petition for Extension of Time (1
month) (in duplicate) (2 pages)☐ Information Disclosure Statement (
pages) (in duplicate) with Form
PTO-1449 (
pages) citing
References☒ Express Mail Label No. EV 721 156
033 US☒ Certificate of Mailing☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Change of Correspondence Address (
page)☐ Issue Fee Transmittal with PTO-85b
(in duplicate)☐ Request for Continued Examination
Transmittal (RCE)☐ Fee Transmittal Form (1 page) in
duplicate☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer (page)☐ Statement of Common Ownership☒ CD, containing computer readable
form of the Sequence Listings --
Number of CD(s) 1☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Request for Status of Application☒ Other Enclosure(s)
(please identify below):

1. **Appendix A, containing paper
copy of the Sequence Listings (4
pages)**
2. **Copy of Notice to Comply (1
page)**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual nameSquire, Sanders & Dempsey L.L.P.
Jeffrey C. Talkington, Reg. No. 58,381

Signature

Date

September 1, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

Typed or printed name

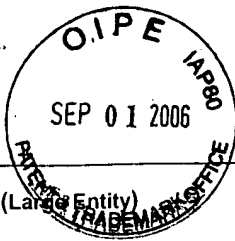
Yayoi Barrack

Signature

Date

September 1, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL LETTER** (Large Entity)

Docket No.

87835.2

Applicant(s): Baback Gharizadeh

Serial No.

10/623,458

Filing Date

July 17, 2003

Examiner

Christopher M. Babic

Group Art Unit

1637

Invention:

Target-Specific Multiple Sequencing Primer Pool For Microbial Typing And Sequencing Applications In DNA-Sequencing Technologies

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

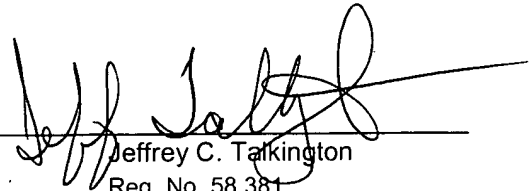
The fee has been calculated and is transmitted as show below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	16	20	0	X \$25.00	\$00.00
INDEP. CLAIMS	2	3	0	X \$100.00	\$00.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$00.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. **07-1850** in the amount of **\$00.00**
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. **07-1850**
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.

Dated: September 1, 2006
 Squire, Sanders & Dempsey L.L.P.
 1 Maritime Plaza, Suite 300
 San Francisco, CA 94111
 (415) 954-0200


 Jeffrey C. Talkington
 Reg. No. 58,381

cc: Docket: